

COMMENTS OF THE NORTH AMERICAN BROADCASTERS ASSOCIATION (NABA)

The North American Broadcasters Association (NABA) hereby submits these comments in connection with the Commission's Notice of Proposed Rulemaking ("NPRM"), FCC 02-230 (August 8, 2002) in the above captioned proceeding.

The North American Broadcasters Association (NABA) is a not-for-profit association representing the overwhelming majority of national broadcasters in Canada, Mexico and the United States on broadcasting issues of common North American interest to international institutions.

For many years NABA has been actively representing its members' interests in ensuring that retransmission or redistribution technologies do not violate the rights of broadcasters and content producers. Representations to the World Intellectual Property Organization (WIPO), the International Telecommunication Union (ITU), and other international bodies have been made and continue to be made by NABA to ensure that the global market place has rules by which broadcasters' signals and content providers' icopyright nterests are protected.

With the advent of high quality digital programming, freely available over the air and new distribution platforms like the Internet, protection of these core copyright broadcasters' signals and content is far more difficult today than in the past. To this end, NABA will be asking national administrations to include the Broadcast Flag as part of an eventual WIPO Treaty on Broadcasting.

Given the above context, NABA urges the Commission to require the implementation of the Broadcast Flag technology and further, that the Commission should adopt the method proposed by the working group cited in 02-230.

There is no consumer impact since the focus of this redistribution protection is designed to prevent the unauthorized redistribution of digital broadcast content outside the home or other similar local environment. In fact, by protecting high quality digital broadcast television content, the Commission lays the foundation for broadcasters and content providers to provide content both rich in diversity and in a quantity which would facilitate a meaningful DTV transition.

NABA may have additional comments on the Notice of Proposed Rule Making after reviewing other responses.

Respectfully submitted

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Secretary General